W.P.M.B. No. 686 of 2001 (M/B)

Hon'ble V.S. Sirpurkar, C.J.,
Hon'ble Irshad Hussain, J.

None for the petitioners. Mr. U.P.S.Negi, learned Additional Advocate General appeared for the State.

This matter was placed before this Court yesterday when nobody was present. Hence, The matter was put up for dismissal to day. Today when the matter was called at 10.15 a.m., nobody papered on behalf of the petitioners. Petitioners are also absent. Prayer is for a writ of certiorari to quash the F.I.R. and investigation against the petitioners in criminal case no. 140 of 2001 U/Ss 420, 467, 468, 471 and 120-B I.P.C. lodged at P.S. Jwalapur, Hardwar at the instance of police station Jwalapur.

We find that on the basis of statement made before us by the lenred Additional Advocate General that the charge-sheet has already been filed in this case, if that is so, there will be no necessity for us to proceed with this petition because regular Court would be in the sesin of the matter. It is reported by the learned Additonal Advocate General that the charge-Sheet has not been field against Mr. A.K.Jain. Today, when the matter is called out, there is no body remaining present on behalf of Mr. A.K.Jain, also. We do not think that we should go ahead in the matter. The writ petition is declared as infructuous against the petitioners except Mr. A.K.Jain. In so far as Mr. A.K.Jain is concerned, the petition is treated to be dismissed in default.

Ordered accordingly.

(I.H., J.) **(V.S.S., C.J.)**
6.08.2004 6.8.2004

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